

## **Proposed Recreational Fishing Regulation**

A. Any person who is convicted, makes an accepted plea of nolo contendere, or receives probation before judgment for an offence under §§ D-F of this Regulation or similar offences under federal law in Maryland shall:

(1) Have all recreational fishing licenses issued by the Department revoked;

(2) Be prohibited from engaging in any recreational fishing activities for the period of time described in §§ D-F of this regulation; and

(3) Be prohibited from applying for any recreational fishing licenses for the period of time described in §§ D-F of this Regulation.

B. A revoked recreational fishing license is no longer valid for any purpose.

C. Applying for a recreational fishing license or engaging in recreational fishing activities when prohibited from doing so by this regulation is a misdemeanor and punishable as provided in Natural Resources Article, § 4-1201(c), Annotated Code of Maryland

D. 365 Day Penalty

<u>STATUTE OR REGULATION</u>	<u>DESCRIPTION</u>
<u>4-205.1(h)</u>	<u>Interferences With the Abatement of a State of Nuisance</u>
<u>4-210</u>	<u>Unlicensed Commercial Fishing Guide (Tidal)</u>
<u>4-210.1</u>	<u>Unlicensed Commercial Fishing Guide (Non-Tidal)</u>
<u>4-2A-05</u>	<u>Possession of Endangered Fish Species Without a Permit</u>
<u>4-503</u>	<u>Dynamiting</u>
<u>4-505</u>	<u>Removing Fish, Nets, or Gear of Another</u>
<u>4-511</u>	<u>Interference with State Buoys, Markers, or Monuments</u>
<u>4-701(b)(4)</u>	<u>Failure to Obtain a Tidal Fish License for Commercial Activity</u>
<u>4-731</u>	<u>Unlawfully Selling Striped Bass</u>
<u>4-1004(a)</u>	<u>Taking Oysters or Clams for Commercial Purposes Without a Commercial License</u>

<u>4-1015(b)</u>	<u>Possession of Unculled or Undersized Oysters: Over 15% per bushel</u>
<u>4-1031</u>	<u>Possession of Undersized Hard-Shell Clams: Over 21 in possession</u>
<u>4-11A-15</u>	<u>Engaging in a Prohibited Act on an Aquaculture or Submerged Land Lease Area</u>
<u>08.02.03.10E</u>	<u>Possession of Female Crabs: Over 16 per Bushel</u>
<u>08.02.03.14A(3)</u>	<u>Offering to Sell or Selling Recreationally Caught Crabs</u>
<u>08.02.03.14A(4)</u>	<u>Knowingly Buying or Attempting to Buy Recreationally Caught Crabs</u>
<u>08.02.03.10E</u>	<u>Possession of Undersized Crabs: Over 16 in possession</u>
<u>08.02.05.01A</u>	<u>Unlawfully Fishing with a Spear Gun</u>
<u>08.02.05.01B</u>	<u>Unlawfully Fishing with a Bow and Arrow</u>
<u>08.02.05.01C</u>	<u>Fish Snagging - Tidal Waters</u>
<u>08.02.05.05</u>	<u>Unlawfully Possessing American Shad: 11 or more fish</u>
<u>08.02.05.06</u>	<u>Unlawfully Possessing Hickory Shad: 11 or more fish</u>
<u>08.02.05.10A</u>	<u>Size Limit Violations – Bluefish: 11 or more fish</u>
<u>08.02.05.10B</u>	<u>Daily Catch Limits – Bluefish: 11 or more fish over the limit</u>
<u>08.02.05.11</u>	<u>Unlawfully Taking or Possessing Sturgeon</u>
<u>08.02.05.12A(1)</u>	<u>Size Limit Violations - Summer Flounder: 11 or more fish</u>
<u>08.02.05.12A(2)</u>	<u>Daily Catch Limits - Summer Flounder: 11 or more fish over the limit</u>
<u>08.02.05.13A(1)</u>	<u>Size Limit Violations- Spotted Sea Trout: 11 or more fish</u>
<u>08.02.05.13A(2)</u>	<u>Size Limit Violations - Weakfish: 11 or more fish</u>
<u>08.02.05.13B(1)</u>	<u>Daily Catch Limits - Weakfish or Spotted Sea Trout: 11 or more fish over the limit</u>
<u>08.02.05.14A#1</u>	<u>Size Limit Violations - Spanish Mackerel: 11 or more fish</u>
<u>08.02.05.14B</u>	<u>Daily Catch Limits - Spanish Mackerel: 11 or more fish over the limit</u>
<u>08.02.05.15A[#1]</u>	<u>Size Limit Violations - Black Drum: 3 or more fish</u>
<u>08.02.05.15B</u>	<u>Daily Catch Limit - Black Drum: 3 or more fish over the limit</u>
<u>08.02.05.16A(1)</u>	<u>Size Limit Violations - Red Drum: 3 or more fish</u>

<u>08.02.05.16A(2)</u>	<u>Daily Catch Limits - Red Drum: 3 or more fish over the limit</u>
<u>08.02.05.18A(1)</u>	<u>Size Limits Violations – Croaker: 11 or more fish</u>
<u>08.02.05.18B</u>	<u>Daily Catch Limit - Croaker: 11 or more fish over the limit</u>
<u>08.02.05.19A</u>	<u>Size Limits - Black Bass (Largemouth and Smallmouth): 11 or more fish</u>
<u>08.02.05.19B</u>	<u>Daily Catch Limit - Black Bass (Largemouth and Smallmouth): 11 or more fish over the limit</u>
<u>08.02.05.19C(1)</u>	<u>Black Bass(Largemouth and Smallmouth) - Using Unlawful Gear</u>
<u>08.02.05.19D(1)</u>	<u>Possessing Black Bass for Commercial Purposes</u>
<u>08.02.05.20A(1) #1</u>	<u>Size Limit Violations – Tautog: 11 or more fish</u>
<u>08.02.05.20A(2)</u>	<u>Daily Catch Limit- Tautog: 11 or more fish over the limit</u>
<u>08.02.05.21A(1)</u>	<u>Size Limit Violations - Black Sea Bass: 11 or more fish</u>
<u>08.02.05.21A(2)</u>	<u>Daily Catch Limit - Black Sea Bass: 11 or more fish over the limit</u>
<u>08.02.05.22A(1)</u>	<u>Size Limit Violations - Scup: 11 or more fish</u>
<u>08.02.05.22C(3)</u>	<u>Catch Limit – Scup: 11 or more fish over the limit</u>
<u>08.02.05.23B(1)</u>	<u>Daily Catch Limit - Bluefin Tuna</u>
<u>08.02.05.23B(2)</u>	<u>Size Limit Violation - Bluefin Tuna</u>
<u>08.02.05.23C(1)</u>	<u>Failing to Report Bluefin Tuna Catch to Reporting Station</u>
<u>08.02.05.23C(2)</u>	<u>Failing to Obtain/Affix Bluefin Tuna Tail Tag</u>
<u>08.02.05.23D</u>	<u>Landing Bluefin Tuna That is not Whole</u>
<u>08.02.05.24B</u>	<u>Spiny Dogfish Finning Violation</u>

<u>08.02.05.26C(1)</u>	<u>Daily Catch Limit Vioation - Billfish</u>
<u>08.02.05.26C(2)</u>	<u>Size Limit Violation - Billfish</u>
<u>08.02.05.26D(1)</u>	<u>Failing to Report Billfish Catch to a Landing Station</u>
<u>08.02.05.26D(2)</u>	<u>Failing to Complete Billfish Catch Information</u>
<u>08.02.05.26D(3)</u>	<u>Failing to Obtain/Affix a Billfish Tail Tag</u>
<u>08.02.05.26E</u>	<u>Billfish Landing Violations</u>
<u>08.02.05.27B</u>	<u>Catching or Possessing Billfish During a Closed Season</u>
<u>08.02.05.27C(1)</u>	<u>Daily Catch Limit Violation - Swordfish</u>
<u>08.02.05.27C(2)</u>	<u>Size Limit Violation- Swordfish</u>
<u>08.02.05.27D(1)</u>	<u>Failing to Report Swordfish Catch to a Landing Station</u>
<u>08.02.05.27D(2)</u>	<u>Failing to Complete Swordfish Catch Information</u>
<u>08.02.05.27D(3)</u>	<u>Failing to Obtain/Affix a Swordfish Tail Tag</u>
<u>08.02.05.27E</u>	<u>Swordfish Landing Violations</u>
<u>08.02.05.28</u>	<u>Size Limit Violations - Walleye: 11 or more fish</u>
<u>08.02.05.28</u>	<u>Catch Limits - Walleye: 11 or more fish over the limit</u>
<u>08.02.11.03F</u>	<u>Using or Possessing Illegal Gear in Delayed Harvest Areas</u>
<u>08.02.12.02A</u>	<u>Taking, Possessing, Transporting, Exporting, Processing, Selling, Offering for Sale, Delivering, Carrying, or Shipping any Fish Listed as Endangered or Threatened</u>
<u>08.02.15.12A</u>	<u>Using an Unlawful Method to Remove Striped Bass from the Water</u>

<u>08.02.15.12 B(2)(b)</u>	<u>Culling Striped Bass</u>
<u>08.02.15.12 C</u>	<u>Striped Bass Filleting Violations</u>
<u>08.02.21.02B</u>	<u>Size limits– Yellow Perch: 11 or more fish over the limit</u>
<u>08.02.21.02C</u>	<u>Daily Catch Limit– Yellow Perch: 11 or more fish over the limit</u>
<u>08.02.22.02A</u>	<u>Possessing Prohibited Shark Species</u>
<u>08.02.22.02B</u>	<u>Season Violation for Designated Shark Species</u>
<u>08.02.22.02C</u>	<u>Size Limit Violation for Designated Shark Species</u>
<u>08.02.22.02D</u>	<u>Daily Catch Limit Violation — Sharks</u>
<u>08.02.22.02E</u>	<u>Gear Restrictions— Sharks</u>
<u>08.02.22.02F(4)</u>	<u>Failing to Land Shark with Head, Tail, and Fins Attached</u>
<u>08.02.22.04A</u>	<u>Shark Filleting or Finning Violation</u>
<u>08.02.05</u>	<u>Season Violations - Finfish - Tidal Waters: 10 or more fish caught out of season</u>

#### E. 180 Day Penalty

<u>STATUTE OR REGULATION</u>	<u>DESCRIPTION</u>
<u>4-1015(b)</u>	<u>Possession of Unculled/Undersized Oysters: 10-14% per Bushel</u>
<u>4-1031</u>	<u>Possession of Undersized Hard-Shell Clams: 15-20 in Possession</u>
<u>08.02.03.10E</u>	<u>Possession of Female Crabs: 11-15 in possession</u>
<u>08.02.03.11C</u>	<u>Crabbing During a Closed Season</u>
<u>08.02.03.14</u>	<u>Possession of Undersized Crabs: 11-15 in possession</u>
<u>08.02.05</u>	<u>Season Violations - Finfish - Tidal Waters: 1-5 Fish</u>
<u>08.02.11.01B</u>	<u>Fishing in a Put and Take Trout Stream During a Closed Season</u>
<u>08.02.11.03A(2)(a)(i)</u>	<u>Unlawful Possession of Trout While Fishing in a Catch and Return Area</u>
<u>08.02.11.03F</u>	<u>Keeping/Possessing Trout in Delayed Harvest Areas During Prohibited Times</u>
<u>08.02.11.03K</u>	<u>Catch-and-Return Bass Area Violations</u>
<u>08.02.11.03L</u>	<u>Zero Creel Limit Trout Fishing Areas</u>
<u>08.02.11.04C(2)(a)(i)</u>	<u>Exceeding Trout Creel Limits in Put and Take Areas</u>
<u>08.02.11.04C(2)(a)(ii)</u>	<u>Exceeding Trout Creel Limits in Other Areas</u>

<u>08.02.11.04C(1) (a)-(m)</u>	<u>Season Violations - Nontidal Waters</u>
<u>08.02.11.04C (2)</u>	<u>Exceeding Daily Catch or Possession Limits - Nontidal Waters</u>
<u>08.02.15.08B</u>	<u>Size Limit Violations - Striped Bass -- Trophy Season: 3 or more fish</u>
<u>08.02.15.08C</u>	<u>Daily Catch Limit – Striped Bass – Trophy Season: 3 or more fish over the limit</u>
<u>08.02.15.09A</u>	<u>Daily Catch Limit – Striped Bass – Early Season: 4 or more fish over the limit</u>
<u>08.02.15.09B</u>	<u>Daily Catch Limit - Striped Bass - Summer Season - Chesapeake: 4 or more fish over the limit</u>
<u>08.02.15.09A</u>	<u>Size Limit Violations - Striped Bass - Summer and Fall Season : 4 or more fish</u>
<u>08.02.15.09B</u>	<u>Size Limit Violations – Striped Bass – Summer and Fall Season : 4 or more fish</u>
<u>08.02.15.10B</u>	<u>Daily Catch Limit - Striped Bass – Summer and Fall Season – Potomac River Tributaries: 4 or more fish over the limit</u>
<u>08.02.15.10C</u>	<u>Size Limit Violations - Striped Bass – Summer and Fall Season : 4 or more fish</u>
<u>08.02.15.11A</u>	<u>Size Limit Violations - Striped Bass - Atlantic Ocean and Coastal Bays : 4 or more fish</u>
<u>08.02.15.11B</u>	<u>Daily Catch Limit - Striped Bass - Atlantic Ocean and Coastal Bays: 4 or more fish over the limit</u>

#### F. 90 Day Penalty

<u>STATUTE OR REGULATION</u>	<u>DESCRIPTION</u>
<u>08.02.03.10E</u>	<u>Possession of Female Crabs : 6-10 in possession</u>
<u>08.02.03.14E</u>	<u>Possession of Undersized Crabs: 6-10 in possession</u>
<u>4-1015(b)</u>	<u>Possession of Unculled Oysters: 10-14% per Bushel</u>
<u>4-1031</u>	<u>Possession of Undersized Hard-Shell Clams:15-20 in Possession</u>
<u>08.02.03.09A</u>	<u>Failure to Obtain Recreational Crabbing License before Harvesting Crabs or Eels</u>
<u>08.02.03.10</u>	<u>Exceeding the Daily Catch Limit for Crabs</u>
<u>08.02.03.11B.</u>	<u>Violations Related to the Time for Catching Crabs</u>

<u>08.02.03.12B(2)</u>	<u>Exceeding the Daily Catch Limit for Crabs in Worcester County</u>
<u>08.02.05.05</u>	<u>Unlawful Possession or Sale of American Shad: 4-10 fish</u>
<u>08.02.05.06</u>	<u>Unlawful Possession or Sale of Hickory Shad: 4-10 fish</u>
<u>08.02.05.10A</u>	<u>Size Limit Violations – Bluefish: 4-10 fish</u>
<u>08.02.05.10B</u>	<u>Daily Catch Limits – Bluefish: 4-10 fish over the limit</u>
<u>08.02.05.12A(1)</u>	<u>Size Limit Violations - Summer Flounder: 4-10 fish</u>
<u>08.02.05.12A(2)</u>	<u>Daily Catch Limits - Summer Flounder: 4-10 fish over the limit</u>
<u>08.02.05.13A(1)</u>	<u>Size Limit Violations - Weakfish &amp; Spotted Sea Trout: 4-10 fish</u>
<u>08.02.05.13B(1)</u>	<u>Daily Catch Limits - Weakfish or Spotted Sea Trout: 4-10 fish over the limit</u>
<u>08.02.05.14A#1</u>	<u>Size Limit Violations - Spanish Mackerel: 4-10 fish</u>
<u>08.02.05.14B</u>	<u>Daily Catch Limits - Spanish Mackerel: 4-10 fish over the limit</u>
<u>08.02.05.15A[#1]</u>	<u>Size Limit Violations - Black Drum: 4-10 fish</u>
<u>08.02.05.15B</u>	<u>Daily Catch Limit - Black Drum: 2 fish over the limit</u>
<u>08.02.05.16A(1)</u>	<u>Size Limit Violations - Red Drum: 2 fish</u>
<u>08.02.05.16A(2)</u>	<u>Daily Catch Limits - Red Drum: 2 fish over the limit</u>
<u>08.02.05.18A(1)</u>	<u>Size Limits – Croaker: 4-10 fish over the limit</u>
<u>08.02.05.18B</u>	<u>Daily Catch Limit - Croaker 4-10 fish over the limit</u>
<u>08.02.05.19A</u>	<u>Size Limit Violations - Black Bass (Largemouth and Smallmouth): 4-10 fish</u>
<u>08.02.05.19B</u>	<u>Daily Catch Limit - Black Bass (Largemouth and Smallmouth) : 4-10 fish over the limit</u>
<u>08.02.05.20A(1)</u>	<u>Size Limit Violations – Tautog: 5-10 fish</u>
<u>08.02.05.20A(2)</u>	<u>Catch Limit - Tautog: 4-10 fish over the limit</u>
<u>08.02.05.21A(1)</u>	<u>Size Limit Violations - Black Sea Bass: 4-10 fish</u>

<u>08.02.05.21A(2)</u>	<u>Catch Limits - Black Sea Bass: 4-10 fish over the limit</u>
<u>08.02.05.22A(1)</u>	<u>Size Limit Violations - Scup: 4-10 fish</u>
<u>08.02.05.22C(3)</u>	<u>Catch Limits – Scup: 4-10 fish over the limit</u>
<u>08.02.05.28</u>	<u>Size Limit Violations - Walleye: 4-10 fish</u>
<u>08.02.05.28</u>	<u>Catch Limits - Walleye: 4-10 fish over the limit</u>
<u>08.02.15.08B</u>	<u>Size Limit Vioaltions - Striped Bass -- Trophy Season: 2 fish</u>
<u>08.02.15.08C</u>	<u>Daily Catch Limit – Striped Bass – Trophy Season: 2 fish over the limit</u>
<u>08.02.15.09A</u>	<u>Daily Catch Limit – Striped Bass – Early Season: 3 fish over the limit</u>
<u>08.02.15.09B</u>	<u>Daily Catch Limit - Striped Bass - Summer Season - Chesapeake: 3 fish over the limit</u>
<u>08.02.15.09A</u>	<u>Size Limit Violations - Striped Bass - Summer and Fall Season : 3 fish</u>
<u>08.02.15.09B</u>	<u>Size Limit Violations – Striped Bass – Summer and Fall Season : 3 fish</u>
<u>08.02.15.10B</u>	<u>Daily Catch Limit - Striped Bass – Summer and Fall Season – Potomac River Tributaries: 3 fish over the limit</u>
<u>08.02.15.10C</u>	<u>Size Limit Violations - Striped Bass – Summer and Fall Season : 3 fish</u>
<u>08.02.15.11A</u>	<u>Size Limit Violations - Striped Bass - Atlantic Ocean and Coastal Bays : 3 fish</u>
<u>08.02.15.11B</u>	<u>Daily Catch Limit - Striped Bass - Atlantic Ocean and Coastal Bays: 3 fish over the limit</u>
<u>08.02.21.02B</u>	<u>Size limits– Yellow Perch: 4-10 fish over the limit</u>
<u>08.02.21.02C</u>	<u>Daily Catch Limit– Yellow Perch: 4-10 fish over the limit</u>

#### G. 30 Day Penalty

<u>STATUTE OR REGULATION</u>	<u>DESCRIPTION</u>
<u>4-1015(b)</u>	<u>Possession of Unculled Oysters: 6-9% per Bushel</u>
<u>4-1031</u>	<u>Possession of Undersized Hard-Shell Clams: 11-14 in Possession</u>
<u>08.02.03.14A.</u>	<u>Crabs- Catch Day Restrictions</u>



H. Any person who in any two year period receives 2 subsequent penalties under §§ D and E of this regulation may be prohibited from engaging in all recreational fishing activities for 5 years.

I. Any person who in any two year period receives three subsequent penalties under §§ F and G may be prohibited from engaging in all recreational fishing activities for 1 year.

J. The Department may impose lesser penalties under this regulation if the circumstances warrant it.

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